

REMARKS

This is in response to the final Office Action of June 16, 2010 and the Advisory Action of September 24, 2010 and is filed along with a Request for Continued Examination. With this amendment, claims 1-5, 8-11, 14-19, 34, 38, 42, 44-46, 49, 51, 53, 54, 57, 60 and 61 are amended, claims 6-7, 43, 62-63 and 65-66 are canceled and all pending claims 1-5, 8-19, 33-34, 37-42, 44-61 and 64 are presented for reconsideration and favorable action.

In the Office Action, claims 3, 13, 16, 45, 62, 65 and 66 were rejected under 35 USC § 112. It is believed that in view of the amendments and following remarks, the rejection may be withdrawn. Regarding claim 3, the spring element is discussed at page 19, line 18 and shown in Figure 4A and element 24. Regarding claim 13, the electromagnet is described at page 19, lines 14 and 15 as being omitted to provide a better overview. Claims 16 describe the spring element as discussed above. Claim 45 describes a locking mechanism which is shown as element 17 in Figures 4A and 4D. Claims 62, 65 and 66 are canceled.

Further, claims 1-19, 33, 34 and 37-66 were rejected under 35 USC § 112 relating to the language “a movement of the drive” and “a movement of the take off.” These claims have been amended and it is believed that the rejection may be withdrawn.

Additionally, a number of errors in the claim language are corrected with this amendment.

In the Office Action, the claims were rejected based upon Rathmann et al. (US 6,112,564). However, it is believed that the amended claims are patentably distinct from this reference.

In the Office Action, only sections of the independent claims were noted in Rathman. However, the Rathman reference does not show the claimed relationship between the particular elements. For reference, claim 1 prior to the present amendment is set forth below including the reference numbers from the Rathman reference:

1. A device (1), in particular for transmitting a movement as well as corresponding forces and/or moments comprising
a drive (1.11) and a take-off (1.9),

wherein the drive (1.11) and take-off (1.9) are coupled by at least one coupling element (2.6) in such a manner that

in the decoupled state a movement of the drive (1.11) causes a movement of the coupling element (2.6), wherein said movement of the coupling element (2.6) is not suitable for transmitting a movement from the drive (1.11) to the take-off (1.9) and wherein in the US 6,112,564 and

wherein a movement of the drive (1.11) in the coupled state essentially causes a movement of the coupling elements (2.6) in a same direction.

Further, Figure 1 of Rathman is as follows:

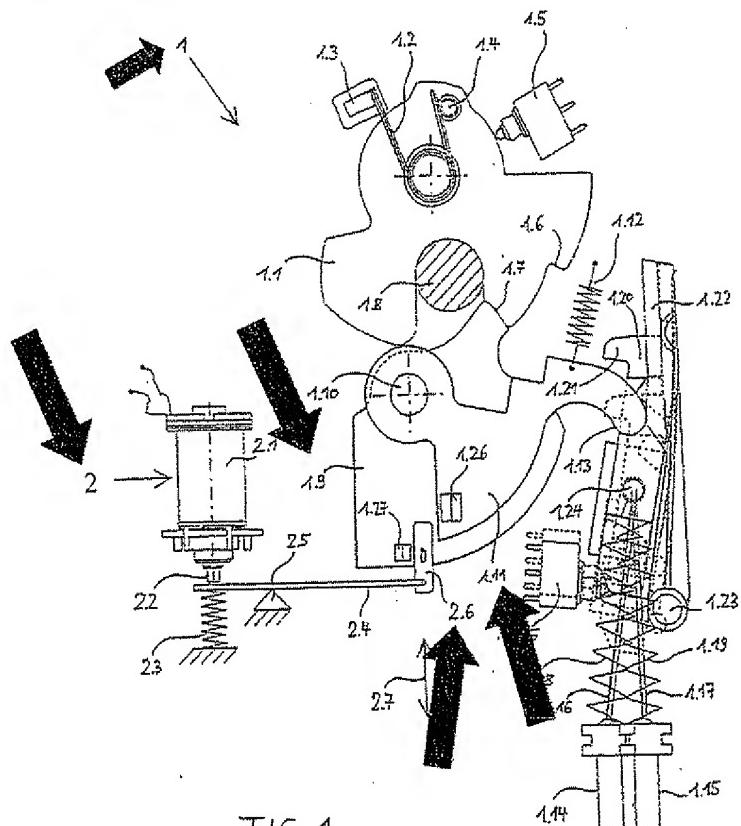


FIG. 1

1. Decoupled state

The subject-matter of the present invention, distinguishes over Rathmann at least in the decoupled state. In particular former claim 1 requires that "in the decoupled state a movement of the drive causes a movement of the coupling element which is not suitable for transmitting a

movement from the drive to the take off'. Furthermore the drive causes an **orthogonal** movement of the coupling element. In other words, the coupling element performs in the decoupled state an evasive movement. Such an evasive movement of a coupling element is not disclosed in *Rathmann*. In particular, it appears that the "coupling element" 2.6 (see Fig. 1 above) does not perform an orthogonal evasive movement which is caused by the drive.

2. Coupled state

Moreover, to further distinguish over *Rathmann*, we further amended the coupled state of independent claim 1. In particular, amended claim 1 further comprises the feature of a movable coupling locking element (see item 17 in Fig. 4) which is located between the coupling elements so that the coupling elements can no longer move away such that the movement of the drive essentially causes the movement of the coupling elements in a same direction together with the take off. Please be referred to the disclosure at page 13, second paragraph:

"The coupling means 15 is preferably configured or arranged such that the coupling locking element 17 can essentially take two positions, wherein one position causes a decoupled state of the device 1"

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application

is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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